

104TH CONGRESS
2D SESSION

H. R. 3324

To amend the General Education Provisions Act to allow parents access
to certain information.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 1996

Mr. TIAHRT (for himself, Mr. LEWIS of Kentucky, Mr. TALENT, Mr. GRAHAM, Mr. LIPINSKI, Mr. COOLEY of Oregon, Mr. LARGENT, Mr. STOCKMAN, Mr. COBURN, Mr. GUTKNECHT, Mr. HUTCHINSON, Mr. BARTLETT of Maryland, Mr. EMERSON, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

A BILL

To amend the General Education Provisions Act to allow
parents access to certain information.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may cited as the “Parental Freedom of In-
5 formation Act”.

6 **SEC. 2. INFORMATION ACCESS.**

7 (a) IN GENERAL.—

1 (1) INFORMATION.—Section 444(a)(1)(A) of
2 the General Education Provisions Act is amended—

3 (A) by inserting before the period of the
4 first sentence the following: “, including, for an
5 elementary and secondary school student only,
6 any instructional materials, medical records,
7 and standardized achievement tests adminis-
8 tered to their children.”;

9 (B) by striking “forty-five” in the last sen-
10 tence and inserting “30”.

11 (2) CONFORMING AMENDMENTS.—Section
12 444(a)(4) of the General Education Provisions Act
13 is amended by adding at the end the following:

14 “(C) For purposes of this section, the term ‘instruc-
15 tional materials’ means textbooks, audio/visual materials,
16 manuals, journals, films, tapes, or other supplementary
17 materials.

18 “(D) For purposes of this section, the term ‘medical
19 records’ means information regarding the medical health
20 of a student and includes any guidance and psychological
21 or psychiatric testing or treatment.

22 “(E) For purposes of this section, the term ‘stand-
23 ardized achievement test’ means any common test admin-
24 istered during the current or previous school year through-
25 out a school, local educational agency, State, or Nation,

1 and includes the individual test results of a child, as well
2 as any available statistical comparison data regarding test
3 results of the child's age or grade level.”.

4 (b) CIVIL ACTION.—Section 444 of the General Edu-
5 cation Provisions Act is amended by adding at the end
6 the following:

7 “(i)(1) A parent of an elementary or secondary school
8 student whose right to gain access to instructional mate-
9 rials, medical records, or standardized achievement tests
10 during the 30-day compliance period set forth in sub-
11 section (a)(1)(A) has been knowingly or negligently vio-
12 lated may maintain an action for appropriate relief after
13 the last day of such period. Appropriate relief includes eq-
14 uitable or declaratory relief and reasonably incurred litiga-
15 tion costs, including a reasonable attorney's fee.

16 “(2) A civil action under this subsection may not
17 commence more than 2 years after the last day of the 30-
18 day compliance period set forth in subsection (a)(1)(A).”.

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